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JAMES NOVAK

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Appellee,

13 vs.

14 JAMES NOVAK,

15 Appellant.
16

Case No. 1:20-cr-00230-DAD

STIPULATION TO EXTEND
BRIEFING SCHEDULE; AND
ORDER

17 **IT IS HEREBY STIPULATED** by and between the parties hereto, through their
18 respective counsel, Special Assistant United States Attorney William Taylor, counsel for
19 Appellee, and Matthew Lemke, counsel for Appellant James Novak, that Appellant's opening
20 brief may be filed on Monday, February 1, 2021. Mr. Novak filed a Notice of Appeal from
21 Magistrate Judge Stanley Boone's decision in 1:20-mj-00077-SAB. ECF No. 16. The Court
22 Clerk's Office set a briefing schedule pursuant to Local Rule 422. ECF No. 17. On January 20,
23 2021, the Court granted the parties first request to extend the briefing schedule. ECF No. 21. In
24 order to allow sufficient time to complete legal research and a written brief while maintaining an
25 active caseload, counsel now requests the Court permit Appellant to file an opening brief by
26 February 1, 2021. This will be Appellant's final extension request in this matter.

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Respectfully submitted,

MCGREGOR W. SCOTT
United States Attorney

Date: January 29, 2021

/s/ William Taylor
WILLIAM TAYLOR
Special Assistant United States Attorney
Attorney for Appellee

HEATHER E. WILLIAMS
Federal Defender

Date: January 29, 2021

/s/ Matthew Lemke
MATTHEW LEMKE
Assistant Federal Defender
Attorney for Appellant
JAMES NOVAK

ORDER

For the reasons set forth above, the briefing schedule for Appellant James Novak's appeal is extended as follows: Appellant's opening brief is now due Monday, February 1, 2021 and no further extensions of time will be granted for this purpose. The remaining pleadings shall be filed as previously ordered.

IT IS SO ORDERED.

Dated: **January 29, 2021**

Dale A. Ingham
UNITED STATES DISTRICT JUDGE